

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**SCOTT DURHAM and ERIC YOUNG, §  
Individually and on behalf of all others §  
similarly situated, §**

**Plaintiffs, §**

**v. §**

**VAM USA, LLC, §**

**Defendant §**

**Civil Action No. 4:15-cv-00243**

**JOINT MOTION FOR CONTINUANCE OF STATUS CONFERENCE**

Plaintiffs Scott Durham and Eric Young and Defendant VAM USA, LLC (collectively, “the Parties”), through their undersigned counsel, stipulate and agree as follows:

1. On December 16, 2014, Plaintiffs filed a complaint against Defendant [Doc. # 1] seeking to represent a class of employees defined as “all current and former Field Service Representatives of VAM USA, LLC, from December 16, 2011 to present, who were not paid overtime compensation for time worked in excess of forty hours per workweek” (the “Proposed Class”).
2. On January 20, 2015, Defendant filed its answer to the complaint [Doc. # 10].
3. On January 27, 2015, this case was transferred from the Southern District of Texas—Corpus Christi Division to the Southern District of Texas—Houston Division [Doc. # 18].
4. On March 4, 2015, counsel for the Parties appeared before the Court for a scheduling conference. At the hearing, the Parties requested additional time to discuss settlement. On March 5, 2015, the Court granted the request and

scheduled a status conference for June 10, 2015, at 10:30 a.m. The Court further ordered the Parties to file a Joint Status Report by June 8, 2015.

5. On April 16, 2015, counsel for the Parties met in person for a settlement conference and discussed the issues in the case at length after which Defendant presented plaintiffs with a settlement proposal.
6. On May, 1, 2015, Plaintiffs provided Defendant with a counter-offer.
7. The Parties then engaged in some limited informal discovery, in which counsel for Defendant provided Plaintiffs' counsel with the names, dates of employment, and compensation details of the putative class members. Counsel for Defendant also produced additional payroll information requested by Plaintiffs' counsel.
8. On July 30, 2015, the Parties participated in a full day mediation conducted by Greg Bourgeois. Despite the good faith efforts of both Parties, a settlement was not reached.
9. A status conference has been set for August 10, 2015, at 12:30 p.m. Counsel for Defendant has a conflict on August 10, 2015, that prevents him from attending. Counsel for Plaintiff has a conflict that would prevent him from attending a conference rescheduled for August 17, 2015. The Parties therefore request that the Court reset the status conference for the next available date after August 17, 2015.

WHEREFORE, the Parties respectfully request that the Court grant this Joint Motion For Continuance Of Status Conference; reschedule the status conference for the first available date on or after August 17, 2015.

Respectfully submitted,

By: SICO, WHITE, HOELSCHER, HARRIS & BRAUGH LLP

/s/ Clif Alexander

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3rd day of August 2015, I electronically submitted the foregoing Joint Motion For Continuance Of Status Conference to the Clerk of the Court using the ECF system for filing and served via the ECF system a Notice of Electronic Filing to the following ECF registrants:

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/s/ Brian G. Patterson  
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